

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on March 26, 2009 at 8:30
A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Bill Beck, Vice Chairman (R)
Rep. Michele Reinhart, Vice Chairman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Bart Campbell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 235, 3/3/2009; SB 363, 3/3/2009;
SB 388, 3/3/2009

Executive Action: SB 388

HEARING ON SB 363

Opening Statement by Sponsor:

00:07:20 Sen. Sharon Stewart-Peregoy (D), SD 21, opened the
hearing on SB 363, Exempt speaking at public function
from work comp covered employment.

Proponents' Testimony:

00:10:53 Sen. Juneau, SD 8, Browning
00:13:23 Rep. Calf Boss Ribs, HD 15, Heart Butte
00:13:45 Bill Johnston, Montana University Systems
00:14:07 Tim Fitzpatrick, Montana School Boards Association
[EXHIBIT\(buh67a01\)](#)

Opponents' Testimony:

00:15:54 Jason Miller, International Brotherhood of Teamsters
00:20:27 Riley Johnson, National Federation of Independent
Business (NFIB)
00:22:39 Don Judge, Montana Injured Workers Resource Council

Informational Testimony:

00:26:41 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry (DLI)
[EXHIBIT\(buh67a02\)](#)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:31:06 Sen. Stewart-Peregoy

00:31:50 Chairman Wilson called a recess.
00:39:48 Chairman Wilson resumed hearing.

HEARING ON SB 235

Opening Statement by Sponsor:

00:40:01 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 235, Clarify law on who may indicate performance of psychological testing.

Proponents' Testimony:

00:42:51 Jon Metropoulos, Lawyer, Helena, Montana
00:45:06 Jeff Olsgaard, Self, Billings, Montana
EXHIBIT (buh67a03)
00:48:58 Sen. Branae, SD 27, Billings
00:51:10 Tom Ferro, President, Licensed Clinical Professional Counselors Association of Montana
00:53:15 Chris Quiggley, Self, Butte, Montana
00:56:14 Ginny Watts, Licensed Clinical Professional Counselor
00:58:11 Chuck Newell, Licensed Clinical Professional Counselor
00:59:57 Jim Meyers, Licensed Clinical Professional Counselor
01:02:12 Michael English, Licensed Clinical Social Worker
01:03:29 Mary McCue, National Association of Licensed Clinical Social Workers
01:06:07 John Wilkinson, Executive Director, National Association of Licensed Clinical Social Workers
01:06:39 Bill Evans, Self, Helena, Montana
01:06:53 Gloria Hermanson, Licensed Clinical Professional Counselors Association

Opponents' Testimony:

01:07:35 Kathy Jenni, Professor, University of Montana
01:12:41 Barton Evans, Self, Bozeman, Montana
EXHIBIT (buh67a04)
01:18:05 David Schuldberg, Licensed Clinical Psychologist
01:21:43 Elizabeth Kohlstaedt, Self, Helena, Montana
01:25:05 Donna Zook, Self, Great Falls, Montana
01:27:33 Michael Butz, Self, Billings, Montana
EXHIBIT (buh67a05)
01:34:30 Duncan Campbell, Self, Bozeman, Montana
EXHIBIT (buh67a06)
01:35:59 Jane Fisher, Licensed Psychologist
01:36:32 John Platt,
01:37:08 Jeff Cory, Licensed Psychologist
EXHIBIT (buh67a07)
01:38:39 William Patenaude, Self, Missoula, Montana
01:39:11 Sandra Micken, Self, Dillon, Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:39:47 Rep. P. Beck
01:39:53 Dr. Cory
01:40:30 Rep. P. Beck
01:40:36 Dr. Cory
01:40:46 Rep. P. Beck
01:40:57 Dr. Cory
01:41:07 Rep. P. Beck
01:41:35 Dr. Cory
01:43:56 Rep. Reichner
01:44:30 Mr. Metropoulos
01:45:37 Chairman Wilson
01:45:59 Mr. Butz
01:46:57 Chairman Wilson
01:47:02 Mr. Butz
01:47:27 Chairman Wilson
01:47:31 Mr. Butz
01:48:41 Rep. Hunter
01:49:24 Ms. McCue
01:51:28 Chairman Wilson
01:51:35 Rep. B. Beck

Closing by Sponsor:

01:52:18 Sen. Murphy

HEARING ON SB 388

Opening Statement by Sponsor:

01:56:44 Sen. Kim Gillan (D), SD 24, opened the hearing on
SB 388, Incumbent workforce training.

Proponents' Testimony:

02:01:13 Bruce MacIntyre, Billings Chamber of Commerce
02:04:58 Jon Bennion, Montana Chamber of Commerce
02:05:43 Riley Johnson, NFIB
02:06:36 Vanessa Clark, Helena and Great Falls Chambers of
Commerce

Opponents' Testimony: None

Informational Testimony:

02:07:24 Todd Younkin, Chief, Labor Market Research and Analyst
Bureau, Department of Labor and Industry

Questions from Committee Members and Responses:

02:07:45 Rep. Berry
02:08:04 Mr. MacIntyre

Closing by Sponsor:

02:08:48 Sen. Gillan

EXECUTIVE ACTION ON SB 388

02:10:12 **Motion:** Rep. Augare moved that **SB 388 BE CONCURRED IN.**

02:10:26 Rep. Augare called the question.

02:10:30 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

02:11:56 Adjournment: 10:41 A.M.

Santella Baglivo, Secretary

sb

Additional Exhibit

EXHIBIT (buh67a08) Letters re: SB 388

Additional Documents:

EXHIBIT ([buh67aad.pdf](#))